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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 EDDIE LOUIS SMITH, III,

11 Plaintiff,

12 v.

13 BELINDA D. STEWART, *et al.*,

14 Defendants.

CASE NO. 3:19-cv-5096 BHS-JRC

ORDER DENYING MOTION TO  
COMPEL

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16 The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States  
17 Magistrate Judge J. Richard Creatura. *See* Dkt. 2. This matter is before the Court on plaintiff's  
18 Motion To Compel Pretrial Disclosure of Information. Dkt. 24. Because plaintiff failed to  
19 certify that he attempted to confer with the opposing parties before bringing his motion to  
20 compel, the motion is denied.

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The named defendants argue that plaintiff's motion to compel should be denied because plaintiff failed to certify that he attempted to confer with the named defendants before seeking to resolve the dispute by court action. *See* Dkt. 33, at 2. The Court agrees. Plaintiff's failure to certify that he conferred or attempted to confer with the named defendants before filing his motion to compel, standing alone, merits denial of his motion. *See* Fed. R. Civ. P. 37(a)(1); Local Civil Rule 37(a)(1). Although plaintiff is proceeding *pro se*, he is required to read and comply with the Local Rules, the Federal Rules of Civil Procedure, and the Court's orders. *See McNeil v. United States*, 508 U.S. 106, 113 (1993)

For this reason, the Court **DENIES** without prejudice plaintiff's motion to compel disclosure. *See* Dkt. 24.

*J. N. Handwritten*

ORDER DENYING MOTION TO COMPEL - 2